

FIFTY-SIXTH DAY - APRIL 3, 2003

LEGISLATIVE JOURNAL

**NINETY-EIGHTH LEGISLATURE
FIRST SESSION**

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 3, 2003

PRAYER

The prayer was offered by Senator Wehrbein.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Bromm presiding.

The roll was called and all members were present except Senators Landis and Raikes who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-fifth day was approved.

MESSAGE FROM THE GOVERNOR

March 26, 2003

President, Speaker Bromm
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Bromm, and Senators:

Contingent upon your approval, the following individual has been appointed to the Motor Vehicle Industry Licensing Board.

APPOINTEE:

Bernard J. Slowik, 808 W Centennial, Papillion, NE 68046

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns

Governor

say/

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 2, 2003, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Dierks, Merton L.
Veterinary Medical Association, Nebraska

Mueller, William J.
Anesthesiologists, Nebraska Society of (Withdrawn 03/28/2003)
Ayars & Ayars, Inc. (Withdrawn 03/31/2003)

Ruth, Larry L.
Anesthesiologists, Nebraska Society of (Withdrawn 03/28/2003)
Ayars & Ayars, Inc. (Withdrawn 03/31/2003)

Vickers, Tom
Aquiculturist & Lake Managers, Nebraska (Withdrawn 04/02/2003)

REPORTS

The following reports were received by the Legislature:

Auditor of Public Accounts

Attestation Examination Report

Environmental Quality, Department of, FY 12/19/02

Audit reports for the following:

Educational Lands and Funds, Board of, FY 2002

Educational Telecommunications Commission, FY 2002

Examiners for Land Surveyors, Board of, FY 2002

Health and Human Services System, Regional Centers (Hastings, Norfolk, Lincoln), FY 2002

Justice, Department of, FY 2002, Period 7/1/02-1/8/03

Liquor Control Commission, FY 2002

Retirement Systems, Public Employees - School Employees, Judges, and State Patrol Retirement Plans, FY 2002

Public Accountancy, Board of, FY 2002

Roads, Department of, FY 2002

Railway Council, FY 2002

Financial statements and reports

University of Nebraska, financial statements and reports required by Government Auditing Standards and OMB Circular A-133 performed

by Deloitte & Touche
Investment Finance Authority
 Drinking Water State Revolving Fund Program

RESOLUTIONS

LEGISLATIVE RESOLUTION 39. Read. Considered.

LR 39 was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Pursuant to Rule 4, Sec. 5(b), LRs 64 and 65 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 64 and 65.

SELECT FILE

LEGISLATIVE RESOLUTION 11CA. Senator Loudon renewed his pending amendment, AM1122, found on page 1141.

Senator Loudon moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Loudon requested a roll call vote on his amendment.

Voting in the affirmative, 10:

Baker	Cudaback	Jones	Louden	Stuhr
Chambers	Erdman	Kremer	Smith	Stuthman

Voting in the negative, 11:

Bromm	Connealy	Pederson, D.	Thompson
Burling	Cunningham	Quandahl	Wehrbein
Combs	Pedersen, Dw.	Raikes	

Present and not voting, 27:

Aguilar	Engel	Jensen	Mossey	Synowiecki
Beutler	Foley	Johnson	Preister	Tyson
Bourne	Friend	Kruse	Price	Vrtiska
Brashear	Hartnett	Maxwell	Redfield	
Brown	Hudkins	McDonald	Schimek	
Byars	Janssen	Mines	Schrock	

Excused and not voting, 1:

Landis

The Louden amendment lost with 10 ayes, 11 nays, 27 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Pending.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR 39.

SELECT FILE

LEGISLATIVE RESOLUTION 11CA. Senator Janssen offered the following amendment:

AM1158

- 1 1. In the Janssen amendment, AM1107, on page 1, line 6,
- 2 strike "proceeds" and insert "revenue generated by state regulation
- 3 and taxation".

The Janssen amendment was adopted with 25 ayes, 1 nay, 22 present and not voting, and 1 excused and not voting.

Senator Smith moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 2 nays, and 20 not voting.

Senator Janssen moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

Senator Janssen requested a roll call vote on the advancement of the resolution.

Voting in the affirmative, 25:

Aguilar	Byars	Friend	Maxwell	Schimek
Beutler	Chambers	Hartnett	McDonald	Schrock
Bourne	Combs	Hudkins	Mines	Stuthman
Bromm	Connealy	Janssen	Preister	Synowiecki
Brown	Cunningham	Landis	Raikes	Thompson

Voting in the negative, 20:

Baker	Erdman	Jones	Price	Stuhr
Burling	Foley	Kremer	Quandahl	Tyson
Cudaback	Jensen	Kruse	Redfield	Vrtiska
Engel	Johnson	Mossey	Smith	Wehrbein

Present and not voting, 4:

Brashear Louden Pedersen, Dw. Pederson, D.

Advanced to E & R for engrossment with 25 ayes, 20 nays, and 4 present and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 165. E & R amendment, AM7080, found on page 805, was adopted.

Senator Foley asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler withdrew his pending amendment, AM0953, found on page 1049.

Senator Beutler renewed his pending amendment, AM1068, found on page 1141.

Senator Thompson asked unanimous consent to be excused. No objections. So ordered.

SENATOR CUDABACK PRESIDING

The Beutler amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Senator Preister offered the following amendment:
AM1151

(Amendments to E & R amendments, AM7080)

- 1 1. Insert the following new sections:
- 2 "Sec. 12. The Legislature finds and declares that public
- 3 power provides special and unique benefits to the citizens of the
- 4 State of Nebraska. These benefits include low utility rates and
- 5 public input and accountability in the governance of the state's
- 6 public power entities. The Legislature has consistently endorsed
- 7 the importance of public power to the state, including the
- 8 conclusions by the LR 455 Task Force in 1999 that the electric
- 9 utility industry in Nebraska should not be deregulated and that
- 10 markets should not be opened to private retail competition. For

11 these reasons, the Legislature finds that any decision to contract
12 for the operation of a public power district facility by a private
13 entity should be made only in extraordinary circumstances.
14 Sec. 14. (1) If a public power district or public power
15 and irrigation district desires to contract with a private entity
16 for the operation of a nuclear power plant, such decision shall be
17 made after public notice and hearing and shall require: (a) A
18 two-thirds majority vote of the elected members of the board of the
19 district; and (b) findings of fact that there are extraordinary
20 circumstances which require such action. Extraordinary
21 circumstances include, but are not limited to (a) no public power
22 entity is willing and able to assume operation of the facility, (b)
23 regulatory compliance issues and concerns, or (c) health and
1 safety.
2 (2) The notice shall be in addition to the notice usually
3 provided for board meetings and shall be published in a newspaper
4 having general circulation in the state and, as appropriate, in
5 other newspapers and publications. The notice shall include, at a
6 minimum, a brief description of the extraordinary circumstances as
7 well as the sites where documents regarding this hearing may be
8 reviewed by the public. At least one of such sites shall be on the
9 web site of the district providing the notice."
10 2. Amend the operative date section so that the sections
11 added by this amendment become operative on their effective date.
12 3. Renumber the remaining sections accordingly.

Senator Stuhr moved the previous question. The question is, "Shall the debate now close?"

Senator Preister requested a ruling of the Chair on whether there had been sufficient debate, pursuant to Rule 7, Sec. 4.

The Chair ruled there had been sufficient debate on the Preister amendment.

The motion to cease debate failed with 23 ayes, 10 nays, and 16 not voting.

Pending.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Slowik, Bernard J. - Motor Vehicle Industry Licensing Board -
Transportation and Telecommunications

(Signed) Pat Engel, Chairperson
Legislative Council
Executive Board

AMENDMENT - Print in Journal

Senators Thompson and Synowiecki filed the following amendment to
LB 608:

AM1145

(Amendments to E & R amendments, AM7090)

- 1 1. On page 9, line 6, after "(7)" insert "Group health
2 insurance plan shall mean an employer-sponsored or
3 employee-supported health insurance plan for which the employer
4 pays at least fifty percent of the premium for individual or family
5 coverage for full-time employees who choose to participate in the
6 plan. The plan shall include coverage for basic hospital and
7 physician care;
8 (8)"; in line 16 strike "(8)", show as stricken, and
9 insert "(9)"; in line 19 strike "(9)", show as stricken, and insert
10 "(10)"; in line 22 strike "(10)" and insert "(11)"; and in line 24
11 strike "(11)" and insert "(12)".
- 12 2. On page 10, line 1, strike "(12)" and insert "(13)".
- 13 3. On page 11, line 3, strike "(13)" and insert "(14)";
14 in line 10 strike "(14)" and insert "(15)"; in line 18 strike
15 "(15)" and insert "(16)"; and in line 24 strike "(16)" and insert
16 "(17)".
- 17 4. On page 12, line 1, strike "(17)" and insert "(18)";
18 and in line 11 strike "(18)" and insert "(19)".
- 19 5. On page 14, line 3; and page 21, line 15, after
20 "employees" insert ", who shall be eligible for coverage by a group
21 health insurance plan.".
- 22 6. On page 14, line 5; and page 21, line 17, after
23 "employees" insert ", who shall be eligible for coverage by a group
1 health insurance plan.".

SELECT COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 210. Placed on Select File as amended.

E & R amendment to LB 210:

AM7098

- 1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:
- 3 "Section 1. Section 48-106, Revised Statutes Supplement,
4 2002, is amended to read:
- 5 48-106. (1) The Nebraska Workers' Compensation Act shall
6 apply to the State of Nebraska, to every governmental agency
7 created by the state, and, except as provided in this section, to
8 every resident employer in this state and nonresident employer
9 performing work in this state who employs one or more employees in
10 the regular trade, business, profession, or vocation of such

11 employer.

12 (2) The act shall not apply to:

13 (a) A railroad company engaged in interstate or foreign
14 commerce;

15 (b) Service performed by a worker who is a household
16 domestic servant in a private residence;

17 (c) Service performed by a worker when performed on a
18 farm or ranch for an employer who is engaged in an agricultural
19 operation and employs only related employees; and

20 (d) Service performed by a worker when performed on a
21 farm or ranch for an employer who is engaged in an agricultural
22 operation and employs unrelated employees unless:

23 (i) Such service is performed on a farm or ranch for an
24 employer who during any calendar year employs six or more
25 unrelated, full-time employees, whether in one or more locations,
26 on each working day during any thirteen-week period, whether or not
27 such weeks are consecutive; and

28 (ii) Forty percent or more of the employer's annual gross
29 revenue is derived from the cultivation of land owned or leased by
30 someone other than the employer or a person related to the employer
31 within the third degree by blood or marriage for the production of
32 agricultural crops, fruit, or other horticultural products, or
33 forty percent or more of the employer's annual gross revenue is
34 derived from the keeping or feeding of animals not owned by the
35 employer or a person related to the employer within the third
36 degree by blood or marriage for the production of livestock or
37 livestock products. Relationship by blood or marriage within the
38 third degree has the same meaning as in subdivision (8)(b) of this
39 section.

40 (3) If the employer is the state or any governmental
41 agency created by the state, the exemption from the act under
42 subdivision (2)(d) of this section does not apply.

43 (4) If the act applies to an employer because the
44 employer meets the requirements of subdivisions (2)(d)(i) and
45 (2)(d)(ii) of this section, all unrelated employees shall be
46 covered under the act and such employees' wages shall be considered
47 for premium purposes.

48 (5) If an employer to whom the act applies because the
49 employer meets the requirements of subdivisions (2)(d)(i) and
50 (2)(d)(ii) of this section subsequently employs fewer than six
51 unrelated employees, such employer shall continue to provide
52 workers' compensation insurance coverage for the employees for a
53 full calendar year after the number of employees is less than six.
54 Such employer may elect to return to exempt status, and if such
55 election is made, the employer shall give the employees notice as
56 provided in subsection (6) of this section.

57 (6) An employer who is exempt from the act may elect to
58 bring the employees of such employer under the act. Such election
59 is made by the employer obtaining a policy of workers' compensation

9 insurance covering such employees. Such policy shall be obtained
10 from a corporation, association, or organization authorized and
11 licensed to transact the business of workers' compensation
12 insurance in this state. If such an exempt employer procures a
13 policy of workers' compensation insurance which is in full force
14 and effect at the time of an accident to an employee of such
15 employer, such procurement is conclusive proof of the employer's
16 and employee's election to be bound by the act. Such an exempt
17 employer who has procured a policy of workers' compensation
18 insurance may elect to return to exempt status by (a) posting,
19 continuously in a conspicuous place at the employment locations of
20 the employees for a period of at least ninety days, a written or
21 printed notice stating that the employer will no longer carry
22 workers' compensation insurance for the employees and the date such
23 insurance will cease and (b) thereafter no longer carrying a policy
24 of workers' compensation insurance. Failure to provide notice in
25 accordance with this subsection voids an employer's attempt to
26 return to exempt status.

27 (7) An exclusion from coverage in any health, accident,
1 or other insurance policy covering a person employed by an employer
2 who is exempt from the act under this section which provides that
3 coverage under the health, accident, or other insurance policy does
4 not apply if such person is entitled to workers' compensation
5 coverage is void as to such person if such employer has not elected
6 to bring the employees of such employer within the act as provided
7 in subsection (6) of this section.

8 (8) For purposes of this section:

9 (a) Agricultural operation means (i) the cultivation of
10 land for the production of agricultural crops, fruit, or other
11 horticultural products or (ii) the ownership, keeping, or feeding
12 of animals for the production of livestock or livestock products;
13 and

14 (b) Related employee means an employee related to the
15 employer within the third degree by blood or marriage.
16 Relationship by blood or marriage within the third degree includes
17 parents, grandparents, great grandparents, children, grandchildren,
18 great grandchildren, brothers, sisters, uncles, aunts, nephews,
19 nieces, and spouses of the same. If the employer is a partnership,
20 limited liability company, or corporation in which all of the
21 partners, members, or shareholders are related within the third
22 degree by blood or marriage, then related employee means any
23 employee related to any such partner, member, or shareholder within
24 the third degree by blood or marriage. The Nebraska Workers'
25 Compensation Act shall apply to the State of Nebraska and every
26 governmental agency created by it, and to every employer in this
27 state, including nonresident employers performing work in the State
1 of Nebraska, employing one or more employees, in the regular trade,
2 business, profession, or vocation of such employer, except railroad
3 companies engaged in interstate or foreign commerce.

4 (2) The following are declared not to be hazardous
5 occupations and not within the provisions of the Nebraska Workers'
6 Compensation Act: Employers of household domestic servants and
7 employers of farm or ranch laborers. An employer who is excluded
8 from the act under this subsection may elect to bring the employees
9 of such employer within the provisions of the act. Such election
10 is made by the employer obtaining a policy of workers' compensation
11 insurance covering such employees from a corporation, association,
12 or organization authorized and licensed to transact the business of
13 workers' compensation insurance in this state. If an employer who
14 is excluded from the act under this subsection has not elected to
15 bring the employees of such employer within the provisions of the
16 act by obtaining a policy of workers' compensation insurance as
17 provided in this subsection and any health, accident, or other
18 insurance policy covering such employees contains an exclusion of
19 coverage if the insured is otherwise entitled to workers'
20 compensation coverage, such exclusion shall be null and void as to
21 such employees.

22 (3) The procuring by any such employer of such a policy
23 of insurance, referred to in subsection (2) of this section, which
24 is in full force and effect at the time of an accident to any of
25 his or her employees, shall be conclusive proof of such employer's
26 and his or her employees' election to be bound by the Nebraska
27 Workers' Compensation Act, to all intents and purposes as if they
1 had not been specifically excluded by the terms of this section.
2 Such employer of household domestic servants and such employer of
3 farm or ranch laborers who has procured such a policy of insurance
4 may elect to return to the status of being not within the
5 provisions of the Nebraska Workers' Compensation Act by (a) no
6 longer carrying a policy of workers' compensation insurance and (b)
7 posting and thereafter keeping continuously posted for a period of
8 at least one year in a conspicuous place about the place or places
9 where his or her workers are employed a written or printed notice
10 of election not to be bound by the provisions of such act.

11 Sec. 2. Section 48-125.01, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 48-125.01. Any employer who knowingly transfers, sells,
14 encumbers, assigns, or in any manner disposes of, conceals,
15 secretes, or destroys any property or records belonging to such
16 employer, after one of his or her employees has been injured within
17 the purview of the Nebraska Workers' Compensation Act, and with
18 intent to avoid the payment of compensation under such act to such
19 employee or his or her dependents, shall be guilty of a Class I
20 misdemeanor. In any case when such employer is a corporation, any
21 officer or employee thereof, if knowingly participating or
22 acquiescing in the act with intent to avoid the payment of
23 compensation under the Nebraska Workers' Compensation Act, shall be
24 also individually guilty of a Class I misdemeanor as well as
25 jointly and severally liable with such corporation for any fine

26 imposed upon the corporation. In any case when such employer is a
27 limited liability company, any member or manager thereof, if
1 knowingly participating or acquiescing in the act with intent to
2 avoid the payment of compensation under the Nebraska Workers'
3 Compensation Act, shall be also individually guilty of a Class I
4 misdemeanor as well as jointly and severally liable with such
5 limited liability company for any fine imposed upon the limited
6 liability company. In any case when such employer is a limited
7 partnership or a limited liability partnership, any general
8 partner, if knowingly participating or acquiescing in the act with
9 intent to avoid the payment under the Nebraska Workers'
10 Compensation Act, shall also be guilty of a Class I misdemeanor as
11 well as jointly and severally liable with such limited partnership
12 or limited liability partnership, and limited partners shall not be
13 liable.

14 Sec. 3. Original section 48-125.01, Reissue Revised
15 Statutes of Nebraska, and section 48-106, Revised Statutes
16 Supplement, 2002, are repealed."

17 2. On page 1, line 3, strike "sections 48-106 and
18 48-115" and insert "section 48-106"; and in line 4 strike "to
19 redefine terms;"

Correctly Engrossed

The following bills were correctly engrossed: LBs 111, 233, 233A, and 487.

ER9041

Enrollment and Review Change to LB 111

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, line 3, "the penalty" has been struck and "penalty provisions" inserted.

ER9042

Enrollment and Review Change to LB 233

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, line 5, strike "inspection" and insert "provisions relating to".
2. On page 2, line 10, "is" has been struck.

(Signed) Ray Mossey, Chairperson

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 286. Placed on General File as amended.
Standing Committee amendment to LB 286:

AM1141

1 1. Strike the original sections and insert the following
 2 new sections:
 3 "Section 1. Section 77-2101.03, Revised Statutes
 4 Supplement, 2002, is amended to read:
 5 77-2101.03. (1) For decedents dying on or after January
 6 1, 2003, and before July 1, 2003, the tax on the Nebraska taxable
 7 estate shall be the greater of the maximum state tax credit
 8 allowance upon the tax imposed under chapter 11 of the Internal
 9 Revenue Code or the amount provided in the following table: The
 10 following table shall be used to determine the tax on the Nebraska
 11 taxable estate:

Nebraska taxable estate						Of Excess Over
At least	But less than	Tax =	+	%		
\$ 0	\$ 40,000	\$ 0		0	\$	0
40,000	90,000	0		.8		40,000
90,000	140,000	400		1.6		90,000
140,000	240,000	1,200		2.4		140,000
240,000	440,000	3,600		3.2		240,000
440,000	640,000	10,000		4		440,000
640,000	840,000	18,000		4.8		640,000
840,000	1,040,000	27,600		5.6		840,000
1,040,000	1,540,000	38,800		6.4		1,040,000
1,540,000	2,040,000	70,800		7.2		1,540,000
2,040,000	2,540,000	106,800		8		2,040,000
2,540,000	3,040,000	146,800		8.8		2,540,000
3,040,000	3,540,000	190,800		9.6		3,040,000
3,540,000	4,040,000	238,800		10.4		3,540,000
4,040,000	5,040,000	290,800		11.2		4,040,000
5,040,000	6,040,000	402,800		12		5,040,000
6,040,000	7,040,000	522,800		12.8		6,040,000
7,040,000	8,040,000	650,800		13.6		7,040,000
8,040,000	9,040,000	786,800		14.4		8,040,000
9,040,000	10,040,000	930,800		15.2		9,040,000
10,040,000		1,082,800		16		10,040,000

12 (2) For decedents dying on or after July 1, 2003, the
 13 following table shall be used to determine the tax on the Nebraska
 14 taxable estate:

Nebraska taxable estate						Of Excess Over
At least	But less than	Tax =	±	%		
\$ 0	\$ 100,000	\$ 0		41	\$	0
100,000	500,000	41,000		6.4		100,000
500,000	1,000,000	66,600		7.2		500,000
1,000,000	1,500,000	102,600		8		1,000,000
1,500,000	2,000,000	142,600		8.8		1,500,000
2,000,000	2,500,000	186,600		9.6		2,000,000
2,500,000	3,000,000	234,600		10.4		2,500,000

25	<u>3,000,000</u>	<u>4,000,000</u>	<u>286,600</u>	<u>11.2</u>	<u>3,000,000</u>
26	<u>4,000,000</u>	<u>5,000,000</u>	<u>398,600</u>	<u>12</u>	<u>4,000,000</u>
27	<u>5,000,000</u>	<u>6,000,000</u>	<u>518,600</u>	<u>12.8</u>	<u>5,000,000</u>
1	<u>6,000,000</u>	<u>7,000,000</u>	<u>646,600</u>	<u>13.6</u>	<u>6,000,000</u>
2	<u>7,000,000</u>	<u>8,000,000</u>	<u>782,600</u>	<u>14.4</u>	<u>7,000,000</u>
3	<u>8,000,000</u>	<u>9,000,000</u>	<u>926,600</u>	<u>15.2</u>	<u>8,000,000</u>
4	<u>9,000,000</u>		<u>1,078,600</u>	<u>16</u>	<u>9,000,000</u>

5 ~~(2)~~ (3) Taxable generation-skipping transfers shall be
6 taxed at a rate of sixteen percent of the Nebraska taxable
7 transfer.

8 Sec. 2. This act becomes operative on January 1, 2003.

9 Sec. 3. Original section 77-2101.03, Revised Statutes
10 Supplement, 2002, is repealed.

11 Sec. 4. Since an emergency exists, this act takes effect
12 when passed and approved according to law."

LEGISLATIVE BILL 572. Placed on General File as amended.

(Standing Committee amendment, AM1149, is printed separately and available in the Bill Room, Room 1104.)

LEGISLATIVE BILL 759. Placed on General File as amended.

(Standing Committee amendment, AM1142, is printed separately and available in the Bill Room, Room 1104.)

(Signed) David Landis, Chairperson

SELECT FILE

LEGISLATIVE BILL 165. The Preister pending amendment, AM1151, found in this day's Journal, was renewed.

Senator Bromm asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Preister moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

Senator Preister requested a roll call vote on his amendment.

Voting in the affirmative, 13:

Beutler	Friend	Maxwell	Quandahl	Synowiecki
Bourne	Hartnett	Mines	Redfield	
Chambers	Landis	Preister	Schimek	

Voting in the negative, 24:

Brashear	Engel	Jones	Pederson, D.	Stuthman
Burling	Erdman	Kremer	Raikes	Tyson
Byars	Hudkins	McDonald	Schrock	Vrtiska
Combs	Jensen	Mossey	Smith	Wehrbein
Cunningham	Johnson	Pedersen, Dw.	Stuhr	

Present and not voting, 9:

Aguilar	Brown	Cudaback	Kruse	Price
Baker	Connealy	Janssen	Louden	

Excused and not voting, 3:

Bromm	Foley	Thompson
-------	-------	----------

The Preister amendment lost with 13 ayes, 24 nays, 9 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Preister offered the following motion:
Bracket LB 165.

Senator Preister withdrew his motion to bracket.

Senator Jensen asked unanimous consent to be excused. No objections. So ordered.

Senator Preister requested a record vote on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar	Cunningham	Janssen	McDonald	Smith
Baker	Engel	Johnson	Mossey	Stuthman
Beutler	Erdman	Jones	Pedersen, Dw.	Tyson
Burling	Friend	Kremer	Pederson, D.	Vrtiska
Combs	Hudkins	Louden	Schrock	Wehrbein

Voting in the negative, 7:

Chambers	Preister	Quandahl	Synowiecki
Mines	Price	Schimek	

Present and not voting, 13:

Bourne	Byars	Hartnett	Maxwell	Stuhr
Brashear	Connealy	Kruse	Raikes	
Brown	Cudaback	Landis	Redfield	

Excused and not voting, 4:

Bromm	Foley	Jensen	Thompson
-------	-------	--------	----------

Advanced to E & R for engrossment with 25 ayes, 7 nays, 13 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 165A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 688. E & R amendment, AM7081, found on page 830, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 619. E & R amendment, AM7082, printed separately and referred to on page 855, was adopted.

Senator Schrock renewed his pending amendment, AM1017, found on page 1051.

Senator Aguilar asked unanimous consent to be excused until he returns. No objections. So ordered.

The Schrock amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Senator Schrock renewed his pending amendment, AM1038, found on page 1075.

The Schrock amendment was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Senators Erdman and Landis asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler offered the following amendment:

FA1260

(Amendments to E & R amendments, AM7082)

- 1 1. On page 10, line 15, after the period insert "The
- 2 department shall approve or disapprove the certification and notify
- 3 the owner or other responsible party within thirty days after the
- 4 date of such filing, except that if the department determines that

5 the certification is incomplete it shall so notify the owner or
6 other responsible party and shall approve or disapprove the
7 certification within thirty days after the date the owner or other
8 responsible party files a complete certification."; and strike
9 beginning with the first comma in line 20 through "department" in
10 line 22 and insert "disapproves the certification as provided in
11 this subsection".
1 2. On page 1, line 17, strike "voluntary".

The Beutler amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 294. Advanced to E & R for engrossment.

LEGISLATIVE BILL 607. E & R amendment, AM7084, printed separately and referred to on page 856, was adopted.

Senator Wehrbein withdrew the Wehrbein-Beutler pending amendment, AM1032, found on page 1076.

Senator Wehrbein renewed his pending amendment, AM1123, found on page 1142.

SPEAKER BROMM PRESIDING

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

The Wehrbein amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 332. E & R amendment, AM7083, found on page 856, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 148. E & R amendment, AM7088, found on page 914, was adopted.

Senator Landis renewed the Landis-Friend pending amendment, AM0897, printed separately and referred to on page 994.

Senator Bourne asked unanimous consent to be excused. No objections. So ordered.

The Landis-Friend amendment was adopted with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 756. E & R amendment, AM7087, found on page 917, was adopted.

Senator McDonald offered the following amendment:
AM1144

(Amendments to E & R amendments, AM7087)

- 1 1. On page 3, line 17, after "entity" insert ",
- 2 including a cancer drug manufacturer,"; in line 24 strike "The" and
- 3 insert "Notwithstanding subsection (1) of this section, the"; and
- 4 strike line 27 and insert "nor shall such donation increase the
- 5 liability of such cancer drug manufacturer that would have existed
- 6 but for the donation.".
- 7 2. On page 4, strike lines 1 and 2.

The McDonald amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

Senator Foley asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 756A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 726. E & R amendment, AM7085, found on page 919, was adopted.

Senator Smith withdrew his pending amendment, FA1198, found on page 851.

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Smith offered the following amendment:
AM1143

(Amendments to E & R amendments, AM7085)

- 1 1. On page 1, line 12, after "(2)" insert "The governing
- 2 body of any county with a population of three hundred thousand
- 3 inhabitants or less may after a public hearing adopt a resolution
- 4 to impose an additional sales tax of not to exceed one percent upon
- 5 the total consideration charged for occupancy of any space
- 6 furnished by any hotel if such county has created a County Visitors
- 7 Promotion Fund and a visitors committee pursuant to section

8 81-1255. The proceeds from such tax shall be paid to the County

9 Visitors Promotion Fund.

10 (3)"; in lines 12 and 13 reinstate the stricken matter;

11 and in line 20 strike "(3)", show as stricken, and insert "(4)".

12 2. On page 2, lines 6 and 7, reinstate the stricken
13 matter.

The Smith amendment lost with 10 ayes, 11 nays, 21 present and not voting, and 7 excused and not voting.

Senator Beutler moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Beutler requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 26:

Aguilar	Hartnett	Kruse	Price	Tyson
Beutler	Hudkins	Louden	Quandahl	Vrtiska
Bromm	Janssen	Maxwell	Schimek	
Brown	Johnson	McDonald	Stuhr	
Byars	Jones	Mossey	Stuthman	
Connealy	Kremer	Pedersen, Dw.	Synowiecki	

Voting in the negative, 11:

Baker	Cunningham	Raikes	Smith
Brashear	Mines	Redfield	Wehrbein
Chambers	Pederson, D.	Schrock	

Present and not voting, 6:

Burling	Engel	Friend
Combs	Foley	Preister

Excused and not voting, 6:

Bourne	Erdman	Landis
Cudaback	Jensen	Thompson

Advanced to E & R for engrossment with 26 ayes, 11 nays, 6 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

STANDING COMMITTEE REPORT

Urban Affairs

LEGISLATIVE BILL 650. Placed on General File as amended.

Standing Committee amendment to LB 650:

AM1161

1 1. Insert the following new section:
2 "Sec. 4. Since an emergency exists, this act takes
3 effect when passed and approved according to law."
4 2. On page 2, line 9, after "Fund" insert "money
5 recovered through any action initiated pursuant to subsection (5)
6 of this section, money collected from utilities pursuant to the
7 assessment provided for in subsection (6) of this section,"; and in
8 line 28 after the period insert "Loan proceeds shall be used only
9 for costs and expenses which are necessary and directly related to
10 the purposes for which the loan is provided and which are
11 reasonably comparable in amount to the cost of the same or similar
12 services generally prevailing in the area where incurred."
13 3. On page 3, lines 27 and 28, strike the new matter and
14 insert "The Public Service Commission may review the use of any
15 money loaned from the fund and may recover any proceeds of such
16 loans expended in a manner contrary to or for purposes other than
17 those authorized by the Municipal Natural Gas Regulation Act or
18 rules and regulations adopted and promulgated pursuant thereto from
19 (a) any municipality or (b) any person in receipt from a
20 municipality of any money loaned from the fund.
21 (6) The Public Service Commission shall, after the
22 effective date of this act but not later than January 1, 2004,
23 determine the amount of money necessary to meet the current and
24 projected amount of requests for loans from the fund. The
1 commission shall, not later than January 1, 2004, make one
2 assessment against the utilities subject to the Municipal Natural
3 Gas Regulation Act of the total amount of money required to meet
4 the projected needs of the fund, except that the total assessment
5 shall not exceed six hundred thousand dollars. Each utility shall
6 be charged its pro rata share of the total assessment in the same
7 proportion as the number of customers of the utility subject to the
8 act bears to the total number of customers in the state subject to
9 the act. Money collected pursuant to this subsection and placed in
10 the fund shall not be used for any loan application filed before
11 January 1, 2003, or rate regulation proceeding initiated pursuant
12 to the Municipal Natural Gas Regulation Act commenced prior to
13 January 1, 2003. Each utility shall pay its share of the
14 assessment within thirty days after being billed by the commission.
15 Each utility may recover the amount of its share of the assessment
16 through a special surcharge on customers which may be billed on the
17 monthly statements for up to a twelve-month period to be shown on
18 the statements as a charge for rate regulation expense.
19 (7) Any action by the Public Service Commission initiated
20 pursuant to subsection (5) of this section to recover any money
21 loaned from the fund shall be commenced within six years after the
22 date upon which the municipality or person in receipt of proceeds
23 from the fund expended the money received from the fund.".

24 4. On page 4, lines 1, 2, and 9 through 24, strike the
25 new matter.

(Signed) D. Paul Hartnett, Chairperson

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendment to LB 46:
AM1156

(Amendments to E & R amendments, AM7092)

- 1 1. On page 30, strike beginning with "During" in line 25
- 2 through "the" in line 27, show as stricken, and insert "The".
- 3 2. On page 31, strike beginning with "Intentional" in
- 4 line 16 through line 21, show as stricken, and insert "The
- 5 department may not impose disciplinary action upon any committed
- 6 offender solely because of the committed offender's failure to
- 7 comply with the department-approved personalized program plan, but
- 8 such failure may be considered by the board in its deliberations on
- 9 whether or not to grant parole to a committed offender.".

Senator Beutler filed the following amendment to LB 46:
AM1015

(Amendments to Standing Committee amendments, AM0770)

- 1 1. On page 51, line 6, after the underscored period
- 2 insert "The director shall so certify within thirty days after the
- 3 date on which the population first exceeds one hundred forty
- 4 percent of design capacity.".
- 5 2. On page 52, line 4, after the underscored period
- 6 insert "The director shall so certify within thirty days after the
- 7 date on which the population first reaches operational capacity.".

Senator Beutler filed the following amendment to LB 46:
AM1016

(Amendments to Standing Committee amendments, AM0770)

- 1 1. On page 51, line 6, after the underscored period
- 2 insert "The Governor shall declare a correctional system
- 3 overcrowding emergency whenever the director certifies that the
- 4 population is over one hundred forty-five percent of design
- 5 capacity.".

Senator Raikes filed the following amendment to LB 574:
AM1153

(Amendments to Standing Committee amendments, AM0816)

- 1 1. Insert the following new sections:
- 2 "Sec. 20. The Nebraska Scholarship Fund is created.
- 3 Money in the fund shall include amounts transferred from the State
- 4 Lottery Operation Trust Fund pursuant to section 9-812. For fiscal
- 5 year 2003-04, all amounts accruing to the Nebraska Scholarship Fund
- 6 shall be transferred to the General Fund. For fiscal year 2004-05

7 and each fiscal year thereafter, money in the fund shall be used to
8 carry out the Nebraska Scholarship Act. Any money in the fund
9 available for investment shall be invested by the state investment
10 officer pursuant to the Nebraska Capital Expansion Act and the
11 Nebraska State Funds Investment Act.

12 Sec. 21. Section 9-812, Revised Statutes Supplement,
13 2002, is amended to read:

14 9-812. (1) All money received from the operation of
15 lottery games conducted pursuant to the State Lottery Act in
16 Nebraska shall be credited to the State Lottery Operation Trust
17 Fund, which fund is hereby created. All payments of expenses of
18 the operation of the lottery games shall be made from the State
19 Lottery Operation Cash Fund. In accordance with legislative
20 appropriations, money for payments for expenses of the division
21 shall be transferred from the State Lottery Operation Trust Fund to
22 the State Lottery Operation Cash Fund, which fund is hereby
23 created. All money necessary for the payment of lottery prizes
1 shall be transferred from the State Lottery Operation Trust Fund to
2 the State Lottery Prize Trust Fund, which fund is hereby created.
3 The amount used for the payment of lottery prizes shall not be less
4 than forty percent of the dollar amount of the lottery tickets
5 which have been sold. At least twenty-five percent of the dollar
6 amount of the lottery tickets which have been sold on an annualized
7 basis shall be transferred from the State Lottery Operation Trust
8 Fund to the Education Innovation Fund, the Nebraska Scholarship
9 Fund, the Nebraska Environmental Trust Fund, and the Compulsive
10 Gamblers Assistance Fund. Of the money available to be transferred
11 to the Education Innovation Fund, the Nebraska Environmental Trust
12 Fund, and the Compulsive Gamblers Assistance Fund, the first five
13 hundred thousand dollars shall be transferred to the Compulsive
14 Gamblers Assistance Fund to be used as provided in sections
15 83-162.01 to 83-162.04. Thereafter, ~~forty-nine and one-half~~
16 twenty-four and three-fourths percent of the money remaining after
17 the payment of prizes and operating expenses and the initial
18 transfer to the Compulsive Gamblers Assistance Fund shall be
19 transferred to the Education Innovation Fund. Twenty-four and
20 three-fourths percent of the money remaining after the payment of
21 prizes and operating expenses and the initial transfer to the
22 Compulsive Gamblers Assistance Fund shall be transferred to the
23 Nebraska Scholarship Fund. Forty-nine and one-half percent of the
24 money remaining after the payment of prizes and operating expenses
25 and the initial transfer to the Compulsive Gamblers Assistance Fund
26 shall be transferred to the Nebraska Environmental Trust Fund to be
27 used as provided in the Nebraska Environmental Trust Act. One
1 percent of the money remaining after the payment of prizes and
2 operating expenses and the initial transfer to the Compulsive
3 Gamblers Assistance Fund shall be transferred to the Compulsive
4 Gamblers Assistance Fund to be used as provided in sections
5 83-162.01 to 83-162.04.

6 (2) The Education Innovation Fund is hereby created. At
7 least seventy-five percent of the lottery proceeds allocated to the
8 Education Innovation Fund shall be available for disbursement. For
9 each fiscal year except fiscal years 2001-02, 2002-03, 2003-04, and
10 2004-05, the Education Innovation Fund shall be allocated in the
11 following manner: Up to ~~ten~~ twenty percent to fund the mentor
12 teacher program pursuant to the Quality Education Accountability
13 Act; ~~up to sixty percent as quality education incentives pursuant~~
14 ~~to the act;~~ up to ~~twenty~~ forty percent to the Attracting Excellence
15 to Teaching Program Cash Fund to fund the Attracting Excellence to
16 Teaching Program Act; and up to ~~ten~~ forty percent of the fund shall
17 be allocated by the Governor. For fiscal years 2001-02 and
18 2002-03, the Education Innovation Fund shall be allocated in the
19 following manner by the Excellence in Education Council: Up to one
20 million five hundred thousand dollars per fiscal year, as a
21 distance education network completion grant pursuant to section
22 79-1328; and, after operating expenses for the Excellence in
23 Education Council are deducted, the remainder to the General Fund.
24 For fiscal years 2003-04 and 2004-05, the Education Innovation Fund
25 shall be allocated to the General Fund after operating expenses for
26 the Excellence in Education Council are deducted. The State
27 Treasurer shall transfer two million eighteen thousand one hundred
1 ninety-nine dollars from the Education Innovation Fund to the
2 General Fund within five days after August 16, 2002.

3 Allocations by the Governor shall be through incentive
4 grants to encourage the development of strategic school improvement
5 plans by school districts for accomplishing high performance
6 learning and to encourage schools to establish innovations in
7 programs or practices that result in restructuring of school
8 organization, school management, and instructional programs which
9 bring about improvement in the quality of education. Such
10 incentive grants allocated by the Governor are intended to provide
11 selected school districts, teachers or groups of teachers,
12 nonprofit educational organizations, educational service units, or
13 cooperatives funding for the allowable costs of implementing pilot
14 projects and model programs.

15 From the funds allocated by the Governor, minigrants
16 shall be available to school districts to support the development
17 of strategic school improvement plans which shall include
18 statements of purposes and goals for the districts. The plans
19 shall also include the specific statements of improvement or
20 strategic initiatives designed to improve quality learning for
21 every student.

22 In addition to the minigrants granted for the development
23 of strategic school improvement plans, school districts with annual
24 budget expenditures of three hundred fifty thousand dollars or less
25 are eligible for minigrants from the funds allocated by the
26 Governor for the purposes allowed in subdivisions (2)(a) through
27 (q) of this section. The amount of this type of minigrant shall

1 not exceed five thousand dollars. The school district shall
2 present a curriculum support plan with its application for the
3 grant. The curriculum support plan must show how the district is
4 working to achieve one or more of the allowed purposes and how the
5 grant will be used to directly advance the plan to achieve one or
6 more of these purposes. The plan must be signed by the school
7 administrator and a school board representative. The application
8 for the grant shall be brief. The Excellence in Education Council
9 shall select the recipients of this type of minigrant and shall
10 administer such minigrants.

11 From the funds allocated by the Governor, major
12 competitive grants shall be available to support innovative
13 programs which are directly related to the strategic school
14 improvement plans. The development of a strategic school
15 improvement plan by a school district shall be required before a
16 grant is awarded. Annual reports shall be made by program
17 recipients documenting the effectiveness of the program in
18 improving the quality of education as designed in the strategic
19 school improvement plans. Special consideration shall be given to
20 plans which contain public or private matching funds and
21 cooperative agreements, including agreements for in-kind services.
22 Purposes for which such major competitive grants would be offered
23 shall include:

24 (a) Professional staff development programs to provide
25 funds for teacher and administrator training and continuing
26 education to upgrade teaching and administrative skills;

27 (b) The development of strategic school improvement plans
1 by school districts;

2 (c) Educational technology assistance to public schools
3 for the purchase and operation of computers, telecommunications
4 equipment and services, and other forms of technological innovation
5 which may enhance classroom teaching, instructional management, and
6 districtwide administration. Telecommunications equipment,
7 services, and forms of technical innovation shall be approved only
8 after review by the technical panel created in section 86-521;

9 (d) An educational accountability program to develop an
10 educational indicators system to measure the performance and
11 outcomes of public schools and to ensure efficiency in operations;

12 (e) Alternative programs for students, including
13 underrepresented groups, at-risk students, and dropouts;

14 (f) Programs that demonstrate improvement of student
15 performance against valid national and international achievement
16 standards;

17 (g) Early childhood and parent education which emphasizes
18 child development;

19 (h) Programs using decisionmaking models that increase
20 involvement of parents, teachers, and students in school
21 management;

22 (i) Increased involvement of the community in order to

23 achieve increased confidence in and satisfaction with its schools;
24 (j) Development of magnet or model programs designed to
25 facilitate desegregation;

26 (k) Programs that address family and social issues
27 impairing the learning productivity of students;

1 (l) Programs enhancing critical and higher-order thinking
2 capabilities;

3 (m) Programs which produce the quality of education
4 necessary to guarantee a competitive work force;

5 (n) Programs designed to increase productivity of staff
6 and students through innovative use of time;

7 (o) Training programs designed to benefit teachers at all
8 levels of education by increasing their ability to work with
9 educational technology in the classroom;

10 (p) Approved accelerated or differentiated curriculum
11 programs under sections 79-1106 to 79-1108.03; and

12 (q) Programs for children from birth to age twenty-one
13 years with disabilities receiving special education under the
14 Special Education Act and children from birth to age twenty-one
15 years needing support services as defined in section 79-1125.01,
16 which programs demonstrate improved outcomes for children from
17 birth to age twenty-one years through emphasis on prevention and
18 collaborative planning.

19 The Governor shall establish the Excellence in Education
20 Council. The Governor shall appoint eleven members to the council
21 including representatives of educational organizations,
22 postsecondary educational institutions, the business community, and
23 the general public, members of school boards and parent education
24 associations, school administrators, and at least four teachers who
25 are engaged in classroom teaching. The State Department of
26 Education shall provide staff support for the council to administer
27 the Education Innovation Fund, including the Quality Education
1 Accountability Act. The council shall have the following powers
2 and duties:

3 (i) In consultation with the department, develop and
4 publish criteria for the awarding of incentive grants allocated by
5 the Governor for programs pursuant to this subsection, including
6 minigrants;

7 (ii) Provide recommendations to the Governor regarding
8 the selection of projects to be funded and the distribution and
9 duration of project funding;

10 (iii) Establish standards, formats, procedures, and
11 timelines for the successful implementation of approved programs
12 funded by incentive grants allocated by the Governor from the
13 Education Innovation Fund;

14 (iv) Assist school districts in determining the
15 effectiveness of the innovations in programs and practices and
16 measure the subsequent degree of improvement in the quality of
17 education;

- 18 (v) Consider the reasonable distribution of funds across
19 the state and all classes of school districts;
- 20 (vi) Carry out its duties pursuant to the Quality
21 Education Accountability Act; and
- 22 (vii) Provide annual reports to the Governor concerning
23 programs funded by the fund. Each report shall include the number
24 of applicants and approved applicants, an overview of the various
25 programs, objectives, and anticipated outcomes, and detailed
26 reports of the cost of each program.
- 27 To assist the council in carrying out its duties, the
1 State Board of Education shall, in consultation with the council,
2 adopt and promulgate rules and regulations establishing criteria,
3 standards, and procedures regarding the selection and
4 administration of programs funded from the Education Innovation
5 Fund, including the Quality Education Accountability Act.
- 6 (3) Recipients of incentive grants allocated by the
7 Governor from the Education Innovation Fund shall be required to
8 provide, upon request, such data relating to the funded programs
9 and initiatives as the Governor deems necessary.
- 10 (4) Any money in the State Lottery Operation Trust Fund,
11 the State Lottery Operation Cash Fund, the State Lottery Prize
12 Trust Fund, or the Education Innovation Fund available for
13 investment shall be invested by the state investment officer
14 pursuant to the Nebraska Capital Expansion Act and the Nebraska
15 State Funds Investment Act.
- 16 (5) Unclaimed prize money on a winning lottery ticket
17 shall be retained for a period of time prescribed by rules and
18 regulations. If no claim is made within such period, the prize
19 money shall be used at the discretion of the Tax Commissioner for
20 any of the purposes prescribed in this section.
- 21 Sec. 45. The following section is outright repealed:
22 Section 79-758, Revised Statutes Supplement, 2002."
- 23 2. On page 1, line 3, strike "19" and insert "20".
- 24 3. Amend the operative date section and the repealer so
25 that the sections added by this amendment become operative on their
26 effective date.
- 27 4. Renumber the remaining sections and correct internal
1 references accordingly.

VISITORS

Visitors to the Chamber were FFA members, Staci Alberts, Joel Grosbach, Laura Demmel, Sheridan Wright, and Michelle Dill, from southwest Nebraska; Rebecca Winterfeld and Vanessa Wasser from Seward; FFA members, Chris Dowty and Kevin Settles, from Scribner; FFA members, Tyler Skavdahl and Eric Wickersham, from Sioux County; FFA members from across the state; students from the University of Nebraska College of Pharmacy and the Creighton University School of Pharmacy; Mark Krepel from Crofton; 41 fourth-grade students and teachers from Dodge

Elementary School, Grand Island; FFA members, Tracy Lammers and Chris Gubbels, from Hartington, and Kurt Potts, from Fordyce; Sarah Chandler and John Leagjeld from Minnesota; and 40 fourth-grade students and teachers from Cedar Elementary School, Beatrice.

The Doctor of the Day was Dr. Rick Gustafson from Lincoln.

ADJOURNMENT

At 12:52 p.m., on a motion by Senator Cudaback, the Legislature adjourned until 9:00 a.m., Monday, April 7, 2003.

Patrick J. O'Donnell
Clerk of the Legislature